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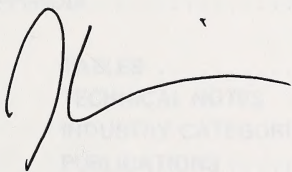
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Honourable Murray Smith
Minister of Labour
324 Legislature Building
Edmonton, Alberta
T5K 2B6

Dear Mr. Smith:

It is my pleasure to forward the seventh annual report of the Labour Relations Board. This report covers the period from April 1, 1996 to March 31, 1997.



J. Robert W. Blair
Chair

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MESSAGE FROM THE CHAIR

The 1996-97 reporting year was a year of transition for the Board.

Operationally, the Board continued to re-engineer its operations to take account of fiscal realities. The Board's Edmonton offices began to operate with a markedly reduced staff complement.

In addition to changes resulting from re-engineering, the return of Vice-Chair Mark Asbell to private law practice and the appointment of longtime Board Solicitor Les Wallace as Vice-Chair contributed to the sense of transition.

Inevitably, however, events within the community which the Board serves provide the ingredients which give a particular period in the history of the Board its distinct flavour. 1996-97 saw the commencement, and in some cases the conclusion, of litigation arising from healthcare restructuring. Privatization within the public and broader public sector was a continuing source of labour relations controversy, with the parties testing the limits of labour relations law and policy in new ways.

At the same time, the private sector has re-emerged as a major component of the Board's caseload - a caseload which has, for the second year in a row, taken a significant upward swing.

Board staff have worked long and hard to produce a report which is full of useful information and analysis. I can only reiterate the hope which I have expressed in previous years that it will be widely and carefully read within Alberta's labour relations community and beyond.

J. Robert W. Blair
Chair, Alberta Labour Relations Board

INTRODUCTORY COMMENTS

The Labour Relations Board oversees three labour relations statutes:

- The Labour Relations Code;
- The Public Service Employee Relations Act; and
- The Police Officers Collective Bargaining Act.

The Labour Relations Code governs the labour relations of about 200,000 unionized employees representing three-quarters of all unionized employees in the province. It does not apply to employers and employees in the provincial government, farm or ranch labour, or domestic workers. It excludes industries falling under federal jurisdiction. The Code does not cover self-employed workers.

Some other employees in Alberta have their labour relations governed entirely by special legislation, such as the Colleges Act and the Technical Institutes Act, or partially so, as is the case under the Police Officers Collective Bargaining Act and the School Act. Most unionized public sector employees are governed by the Public Service Employee Relations Act.

The Code and the PSERA exclude people who, in the Board's view, exercise managerial functions or who are employed in a confidential capacity in matters related to labour relations. They do not apply to doctors, dentists, architects, engineers, and lawyers while employed in their professional capacities.

The Code and the PSERA contain provisions outlining the labour relations rights and responsibilities of employers, trade unions, and employees.

Employees have the right to seek collective bargaining with their employers. The Labour Relations Code and the Public Service Employee Relations Act guarantee this right and establish a framework for employees to make this choice freely. They describe how a trade union bargains with an employer over terms and conditions of employment to arrive at a collective agreement. Rules of fair play govern trade unions, employers, and employees in their labour relations activities.

The Alberta Labour Relations Board is an independent and impartial tribunal. It is responsible for the day-to-day application and interpretation of these rules and also processes the various applications required by the statutes.

This report begins by describing the Board's mission, its members, staff, finances, publications, and hearings. Then it reviews changes to the Board's practice and procedures and developments in the following areas of statutory responsibility:

- Trade Unions and Employers' Organizations
- Certification and Voluntary Recognition
- Modification and Revocation of Bargaining Rights
- The Collective Bargaining Process
- Strikes, Lockouts, and Picketing
- Prohibited Practices
- The Public Service Sector
- The Construction Industry

The report then summarizes judicial review activity during the reporting period.

The commentary throughout describes the Board's caseload experience during the year, drawing on the more detailed statistics found in the various tables. The commentary includes leading cases and other important developments.

The report concludes with a series of detailed statistical tables, including combined statistics under both the Labour Relations Code and the Public Service Employee Relations Act. These tables begin with a brief description of the statistical conventions used throughout this report.

Past readers of the Board annual reports will note that there are fewer statistical tables included in this year's report. The Board has decided to focus on statistics that would be of interest to the majority of the labour community. While not published in this year's report, these omitted reports and charts are still available from the Board on an ad hoc basis by contacting the Board.

This report presumes a basic understanding of the Board's mandate and the provisions of the Alberta Labour Relations Code and the Public Service Employee Relations Act. Those wishing further information on these matters should review the various Board publications described on pages 33 and 34.

OVERVIEW OF OPERATIONS

MISSION STATEMENT

The mission of the Alberta Labour Relations Board is to support and advance the principles of Alberta's labour relations laws by:

1. educating the labour relations community and the public of their statutory rights and obligations;
2. developing policies and processes that will assist the parties to prevent disputes or resolve their disputes over these rights and obligations without resort to litigation; and
3. providing timely, appropriate, impartial resolution of those disputes.

MEMBERSHIP

The Board includes the Chair, four vice-chairs, and 25 part-time members. The Lieutenant-Governor in Council appoints members for their experience and knowledge of labour relations, giving equal representation to labour and management. The Board comprises the following members:

CHAIR: J. Robert W. Blair

VICE-CHAIRS: Deborah M. Howes, J. Leslie Wallace, Mark L. Asbell
Gerald A. Lucas, Q.C., Andrew C.L. Sims, Q.C.

MEMBERS:

Thomas Biggs	Lesley-Anne Haag	Paul Petry
Scott Boyd	Mike Halpen	Susan Ruffo
Robin Campbell	Dolores Herman	Larry Schell
Susan Cassidy	Kenneth Jones	Bruce Tyson
Raymond Drisdelle	William Kondro	Clifford Williams
Eslin Eling	Normand Leclaire	Kay Willekes
Lynn Ervin	Angus MacDonald	Roy Wotherspoon
Lynda Flannery	Rolf Neilsen	
Judy Gulayets	Donna Neumann	

During the reporting year, Vice-Chair Mark Asbell left the Board to return to private practice with the firm of Ackroyd Piasta Roth & Day. Mr. Asbell will continue to keep his hand in the Alberta labour relations field representing clients before the Board and arbitration panels. The Board thanks him for his six years of dedicated service and wishes him continued success in his new endeavours.

The Lieutenant-Governor in Council re-appointed Clifford J. Williams, D. Scott Boyd, Normand Ernest Leclaire, Susan Ruffo and Bruce Tyson in this reporting period.

J. Leslie Wallace, the Board's Legal Counsel since 1988, was appointed as a Vice-Chair on September 25, 1996 for a five year term.

Vice-Chair Deborah M. Howes was reappointed for a five-year term effective May 1, 1997.

Gerald A. Lucas, Q.C. was reappointed as a Vice-chair for a three-year term commencing on May 31, 1997.

The Board is pleased to be able to continue to draw on the skills of such a dedicated and experienced group of labour practitioners.

OFFICES AND STAFF

The Board had 26 permanent staff occupying 26.2 positions divided between its Edmonton and Calgary offices. This includes the Chair, J. Robert W. Blair, and vice-chairs, Mark L. Asbell, Deborah M. Howes and J. Leslie Wallace.

Bob Poburan joined the Board in the capacity of Manager of Administrative Services in June, 1996. Mr. Poburan was formerly with the Alberta Department of Labour.

In February, 1997 Guy Bisson joined the Board as Legal Counsel. Mr. Bisson had previously held the position of Adjudication and Negotiations Leader for the Government of the Northwest Territories.

In 1996/97 the Board lost a number of valued staff members. The Board wishes to thank Giselle Brewster, Michelle Parsons, Velda Roy and Gwen Mendoza for their dedicated service and wishes them the best in their new undertakings.

This year the Board continued its ongoing program of offering secondment positions to articling students and junior lawyers. From December 1996 to April 1997, Jason Schlotter, an articling student with the Ackroyd Piasta Roth & Day law firm, provided assistance to the Board in areas of research and decision writing.

The Board uses the services of 25 deputy returning officers situated throughout the province, each assisted by several polling clerks. They give the Board the ability to respond quickly to applications and conduct votes anywhere in the province. Each deputy returning officer is authorized to serve documents, post notices, and conduct votes on the Board's behalf.

The Board's Internet web-site is playing a larger role in providing Alberta's labour relations community with up-to-date information. In the past year the Board has added down-loadable application forms and an electronic version of its bi-monthly *Flashes* newsletter to the ALRB web-site. The newsletter contains information about the recent activities at the Board, other labour relations related initiatives throughout Alberta and other jurisdictions, and recent Alberta certifications. Our web-site will continue to provide links to other labour relations sites as we become aware of them.

FINANCES

The Board is funded by separate vote under the budget of the Department of Labour. This year the Board operated with a budget of \$ 2,000,000. During the reporting period it spent \$1,906,366 on its operations, 4.68 per cent below its allotted budget. The Board's expenditures for the last two years are as follows:

	1995/96	1996/97
Salaries and Benefits	1,487,000	1,381,000
Supplies and Services	614,000	614,000
Others	5,000	5,000
Total	\$2,106,000	\$2,000,000

LEGISLATION

There were no major legislative initiatives taken during this reporting period.

HEALTH CARE CONFERENCE

On September 24 & 25, 1996 the Board conducted a conference titled "Emerging Labour Relations Issues in the new Health Care Environment." The idea of the conference came as a result of concerns being expressed by the health sector labour relations community about the collective bargaining effects of the move to regional health authorities.

The goals of the conference were to provide a neutral open forum for participants to:

- learn about the development of the law and policy related to bargaining units in Alberta and other jurisdictions through background papers and speaker's presentations;
- freely share ideas about the challenges and potential solutions arising from current and emerging labour relations issues in Alberta;
- focus on broader issues related to bargaining unit structures and collective bargaining challenges and solutions surrounding those structures;
- provide input to the Labour Relations Board on its current and future policies and procedures affecting the health care industry.

The conference was fully subscribed, with around 220 paid participants, as well as a number of facilitators, recorders and observers. The conference was self-funding.

A record of conference proceedings and recommendations was prepared by the committee, and was distributed to participants and posted on the Board's web-site. The Board continues to follow up on the recommendations arising from the conference.

FUTURE DIRECTIONS

During the reporting year the Board took a number of internal steps to enhance its capability in the area of Alternative Dispute Resolution (ADR). The Board plans to have all of its Labour Relations Officers complete the certificate program in Conflict Management offered through the Alberta Arbitration and Mediation Society, and some of this training occurred during the reporting year. An important goal for the Board is ensuring that all parties include ADR as part of their overall litigation strategy before the Board.

It is anticipated the Board's resources will continue to be challenged by restructuring within the broader public sector.

Alberta is expected to experience solid economic growth over the 1997 to 2000 period. Increased activity in major projects will translate into increased activity before the Board. As well, the private sector in general can be expected to provide a larger share of the Board's caseload than has recently been the case.

BOARD HEARINGS AND PROCEDURES

The Board conducts its hearings in accordance with its Rules of Procedure. Several cases before the Board and the courts dealt with procedural issues, including apprehension of bias, consecutive hearings and evidence.

In Towne Cinema Theatres (1975) Ltd. v. Alberta Projectionists and Video Technicians Local No. 302, IATSE, and Cineplex Odeon Corporation [1996] Alta.L.R.B.R. 154, the Board held that a reasonable apprehension of bias did not arise merely because of a professional relationship between two Board members and counsel appearing before them. The Board noted the test to be applied was whether a reasonably informed bystander could reasonably perceive bias on the part of an adjudicator. As it is a specialized tribunal comprised of community members with labour expertise, the Board found it inevitable that professional relationships would exist between Board members and counsel. This was particularly so in the small Alberta labour community. Accordingly, it dismissed the bias objection. This decision was upheld on judicial review and is currently under appeal to the Court of Appeal.

Liam Builders (Alberta) Ltd. v. IBEW Local No. 424 and Labour Relations Board [1997] Alta.L.R.B.R. 1 (Q.B.) dealt with the Board's discretion to reconsider its decisions. Liam Builders applied for judicial review of a Board decision to deny an application to reconsider an earlier Board decision. The Court dismissed the judicial review application. It found the Board had broad rule-making powers and that in complying with its rules regarding voter eligibility, it did not fetter its discretion.

In The Crown in Right of Alberta v. Labour Relations Board, Municipal Districts of Birch Hills No. 19, Saddle Hills No. 20, Clear Hills No. 21, MacKenzie No. 23 and AUPE and NASA v. University of Alberta, Focus Building Services Ltd., Quality Colour Consortium, Versa Services Ltd. and Labour Relations Board [1997] Alta.L.R.B.R. 49, the Court ordered the judicial review hearings of two separate Board decisions be heard consecutively. The decisions both dealt with successorships and the ability of certificates and collective agreements to survive a transfer from the public to the private sector. The Court found that the decisions were sufficiently different and had proceeded too far to be consolidated into one hearing. However, as they addressed common issues of fact and law, the interests of judicial expediency and consistency in decision making favoured consecutive hearings.

The issue of interim relief was addressed in *IBEW Local 424 v. Vulcan Electrical Ltd.* [1997] Alta.L.R.B.R. 141. In this case, the employer had dismissed two employees during a union organizing campaign, which the union claimed undermined its support. The union filed an unfair labour practice complaint against the employer and sought the interim reinstatement of the employees pending a Board hearing of the complaint. The Board denied the application for interim relief. As it was being asked to restrain normal employer rights without benefit of all the evidence, the Board placed the onus on the union to establish irreparable harm would be caused in the absence of interim relief. The evidence entered by the union was hearsay evidence, and not sufficiently specific and rich in detail to support the application.

HEARINGS

The Board sits in panels of three and sometimes five members, with a Chair or vice-chair in each case. A Chair or vice-chair may now sit alone for more types of applications which allows the Board to provide speedier decisions on certain matters. Most hearings take place in Edmonton or Calgary, but in appropriate cases, the Board holds hearings in the location closest to the workplace. This year, panels sat in Lethbridge, Medicine Hat, Banff, Edson, Athabasca, Grande Prairie and Fort McMurray.

Applications may be filed with the Board at both its Edmonton and Calgary offices. In this reporting period, the Board received 1249 new matters, an increase of 6.1% from the previous reporting period. 1043 matters were concluded. The Board processed 70% of matters through its Edmonton office and 30% through its Calgary office, under both the Labour Relations Code and the Public Service Employee Relations Act.

The Board conducted 550 hearings over the course of 283 panel days, a significant increase over the 458 hearings held in the previous reporting period. (*Note: a panel day is a day on which a Board sits to hear a matter. Several panels may sit on one day and may hear more than one matter per day*).

The Board's caseload increased in most major categories, including certifications, modifications of bargaining rights, unfair labour practice complaints and strike and lockout proceedings.

RECONSIDERATION / ENFORCEMENT OF BOARD DECISIONS

Section 11(4) of the Code allows the Board to reconsider its own decisions. During the year, the Board concluded 22 review-type reconsiderations. This is almost double the number of matters the year before. Of those, four were withdrawn, 14 were declined, one decision was varied, and one decision was affirmed. Two applications were rejected as incomplete. Eight of these matters dealt with decisions on certification or revocation applications, two with determinations, one with a union structural change, three with duty of fair representation decisions, and three with matters of procedure.

Parties may ensure enforcement of Board orders by requesting that the Board file their orders with the Court of Queen's Bench. Orders then assume the enforceable legal status of a court order. It is the responsibility of the requesting party to establish the necessity of filing an order. The Board often holds a hearing to reach a determination, but an expedited process is available.

JUDICIAL REVIEW - COURT ACTIVITY

Judicial review is available to parties who seek to overturn decisions of the Board. On judicial review, the Court of Queen's Bench determines whether the Board's decision was within its jurisdiction and, if so, whether the decision was patently unreasonable. Thirteen judicial review applications were received during the reporting period, and eight were argued before the court. Seven Board decisions were upheld by the Court and one was quashed.

Court Challenges to Board Decisions*

YEAR	1994/95	1995/96	1996/97
Outstanding at beginning of period	14	10	14
Applications commenced	10	17	13
Applications withdrawn	5	6	3
Decisions upheld	7	4	7
Decisions reversed or remitted back	2	3	1
Outstanding at end of the period	10	14	16**

* This year's statistics are reported by fiscal year. Calendar-year statistics in previous annual reports have been converted. Also, note that appeals to the Court of Appeal are not counted as fresh applications. Instead, the original Board decision is reported as "upheld" or "reversed" according to the result on appeal.

** Interim orders rendered by the Court of Queen's Bench in three matters, but applications not concluded.

AREAS OF STATUTORY RESPONSIBILITY

TRADE UNIONS AND EMPLOYERS' ORGANIZATIONS

A cornerstone of the Code is the right of employees to be members of trade unions and to participate in lawful union activities. However, the Code only partially regulates trade unions themselves. Many aspects of the relationship between a union and the people it represents are internal union matters governed by the union's constitution.

Organizations seeking certification under the Code must meet certain basic conditions and satisfy the Code's filing requirements. The Board supervises all trade union filings and maintains the trade union registry.

During the reporting period, the Board released no written decisions dealing with the status or powers of trade unions or employers' organizations under the Code.

CERTIFICATION AND VOLUNTARY RECOGNITION

The Board processed 198 certification applications during the year, up from 184 in the last reporting year — an increase of 7.6 per cent. Construction and construction-related applications were up 22 per cent over last year's numbers, the largest increase in any industry, with 38 per cent (10 out of 46) of the applications going to vote succeeding. Certification applications in the hospital and health care services sector, stayed constant at 63, with 89 per cent of the applications (33 out of 37) successful at the vote stage.

The *Code* grants applicant trade unions a representation vote where they show 40 per cent employee support within the proposed bargaining unit. Of the 111 applications that went to vote, 79 (71 per cent) achieved certification, a slight decrease in success rates from the 73 per cent rate (82 granted) recorded in 1995-96. This compares to 61 per cent (57 granted) in 1994-95, 74 per cent (86 certificates) in 1993-94 and 70 per cent (97 applications) in 1992-93. It shows a relatively static level of success in certification votes since certification votes were introduced in 1988.

Of the 198 certification applications concluded in this period, the Edmonton office processed 71 per cent and the Calgary office 29 per cent, a duplication of the previous year. This compares to 63 per cent and 37 per cent respectively in 1994-95; 78 per cent and 22 per cent respectively in 1993-94; 68 per cent and 32 per cent respectively in 1992-93, and; 65 per cent and 35 per cent in 1991-92.

The next table shows the ways the Board disposed of certifications this year. The percentages show that from last year less than one third of the number of cases were withdrawn before hearing; and the applicants lost about one half as many fewer votes.

Disposition of Certification Applications

Certified	39.8%
Lost Votes	15.8%
Refused Multiple	13.5%
Refused Unit	11.2%
Refused Numbers	9.8%
Withdrawn	8.8%
Refused Other	0.9%

In the above table:

- **Refused Numbers:** means the applicant lacked the initial 40 per cent support.
- **Refused Multiple:** means the applicant lost one of two parallel applications, for example, where the union applied for two different named employers intending only to certify one.
- **Refused Unit:** refers to those for which the bargaining unit proved inappropriate for collective bargaining.
- **Refused Other:** covers all other cases that did not involve a representation vote.

The Board classifies applications into the industry types set out in the Appendix to Table 2 and 3 at the end of this report. Table 2 breaks down the year's certification applications by industry. The following tables give a simplified version of this breakdown.

Applications Received by Industry

Food Production	29.3%
Construction	23.3%
Construction Related	17.7%
Miscellaneous	6.0 %
Hospital & Health	6.0%
Pulp & Lumber	4.7%
Mining	3.7%
Transportation	2.8%
Education	1.9%
Retail & Wholesale	1.9%
Public Sector	1.9%
Manufacturing	0.9%

Certificates Granted

Food Production	38.8%
Construction	18.8%
Miscellaneous	10.6%
Construction Related	9.4%
Hospital & Health	5.9%
Retail & Wholesale	4.7%
Mining	4.7%
Education	2.4%
Pulp & Lumber	1.2%
Manufacturing	1.2%
Public Sector	1.2%
Transportation	1.2%

It took an average of 31 calendar days to conclude those certification applications which were granted, about the same time as last year. Twenty applications that involved extensive hearings and were dismissed for other reasons or were adjourned sine die to accommodate the parties took between 86 and 351 days to conclude.

DETERMINATIONS

Section 11(3) of the Code and section 3.2 of the Act allow the Board to decide a wide variety of specific questions. Many applications to the Board ask it to decide whether a person is an employee or whether an employee falls within the bargaining unit. During this reporting year the Board concluded 65 such "determination" applications. This number is down significantly from 93 the year before, reflecting a greater degree of stability in this area. The largest volume of these cases centred around questions of whether persons were employees, in the bargaining unit, or bound by the collective agreement. Of the 65 applications, the applicant withdrew 12. Board intervention settled 11 cases, less than half the number of cases in the

previous period, for the second year signalling an increased desire by the parties for a third party decision. The Board made 31 determinations in favour of the applicant's position and 11 in favour of the respondent's position.

Two determination decisions issued during the year illustrate how the Board deals with the issue of employee status and inclusion or exclusion from a bargaining unit. See: *University of Alberta v. Non-Academic Staff Association and Danielle Forth-Bell, Esther Cheung, Veronica Clough, Dorothy Payne, Marlene Welton* [1996] Alta.L.R.B.R. 523 and *United Nurses of Alberta, Local 176 v. Central Park Lodges* [1996] Alta.L.R.B.R. 428. In the first, the Board heard about five "trust employees" at the University who were employed on full or partial grant funded research related projects. In applying the standard tests whether the person is an employee, and if so, for whom, the Board concluded that the five persons were indeed employees of the University, not the individual professor.

The second case dealt with a managerial exclusion in the health care industry. In determining that the employees were not true managers, the Board looked at their entire role and the context in which they operated. The Board was also persuaded by the circumstances which showed that the "managers" came into being coincident with the elimination of every bargaining unit employee.

MODIFICATION AND REVOCATION OF BARGAINING RIGHTS

The Board concluded 136 sale, lease, or transfer applications under sections 44 and 46 of the *Code* and section 90 of the *Public Service Employee Relations Act*. This represents a 27 per cent decrease over last year. Of these, 33 were withdrawn. Twelve applications were settled through Board intervention, 77 were granted and 14 were dismissed. The changes in the health care industry prompted by the change to seventeen regional health authorities and the resultant changes in the health care industry accounted for most of these applications.

The *Code* enables the Board to declare two or more related entities to be a "common employer" for labour relations purposes. It distinguishes between construction and non-construction common employer applications. During the reporting period, the Board handled eleven non-construction applications. Of these, four applications were withdrawn before hearing, three were dismissed, two were granted and two were settled with Board intervention.

Of three construction common employer applications, two were settled and one was dismissed.

During the reporting period, the Board received two applications to consolidate existing certificates under section 39. The Board granted one application and the other was withdrawn.

Fourteen applications under section 47 to declare one trade union a successor to another union's bargaining rights were concluded. Thirteen were granted and one withdrawn.

The Board saw a decrease of 69 per cent in the number of revocation applications, to 42 from 136 in the last year. This follows a 79 per cent increase in the 1995-96 reporting period over the previous year. The construction and construction related industries again provided the highest number of applications for this reporting period, although those applications accounted for only 19 of 42 or 45 per cent of the total applications received. Likely the change in the economic climate accounted for some of this decrease as did the fact that last year a large number of the applications were initiated either by employers who had not employed employees for over three years or by the Board upon being advised that the employer was no longer in business.

Table 3 at the end of the report shows the Board's disposition of revocation applications and the industries involved. Of the 25 applications brought by employees, 21 went to a vote. Of these, all but three favoured revocation of bargaining rights. The Code allows employers to revoke trade union bargaining rights where no employees have been employed in the bargaining unit for an extended period. Fifteen employer revocation applications were concluded, resulting in a revocation of bargaining rights in nine cases. Two revocation applications were brought by a trade union and granted by the Board.

Four decisions are noteworthy in this area.

The merger of bargaining units was addressed in *CUPE, Local 3197 v. City of Edmonton, Edmonton Firefighters' Union, Civic Services Union Local 52 and CUPE, Local 30* [1996] Alta.L.R.B.R. 168, after city restructuring consolidated firefighting and ambulance services into one department. The Board found that interrelated duties, cross training and the provision of common services were key factors in determining whether positions should be included in the same bargaining unit. Where duties performed were

discrete and independent, the Board found a separate bargaining unit was appropriate.

A similar issue was addressed in *HSAA and International Union of Operating Engineers, Local 955 v. Chinook Regional Health Authority, UNA and CUPE Locals et al.* In this case, the Board found the high degree of business integration and the partial intermingling of employees made site-specific bargaining units inappropriate for three hospital units within the Health Authority.

In *South Peace Health Unit No. 20, SNA and UNA, Local 98 v. Peace River Health Units Staff Association, UNA, AUPE and Mistahia* [1996] Alta.L.R.B.R. 362, the Board held that a region-wide bargaining unit was appropriate, despite the absence of conventional intermingling between employees. The Board found the concept of intermingling was broad enough to include the performance of similar work for the same employer, at different sites within the same region.

In *Health Sciences Association of Alberta v. Northern Lights Regional Health Authority No.16 and Dynacare Kasper Medical Laboratories (Northern Alberta) Inc.*[1997] Alta.L.R.B.R. 57, the Board addressed the issue of multiple applications which appear to conflict. The Board held it was not inconsistent to make successorship and certification applications where they share a common purpose and are meant to address alternative outcomes.

THE COLLECTIVE BARGAINING PROCESS

Last year's report noted a decline in bad-faith bargaining complaints over the previous year. It attributed this to most parties affected by funding cutbacks having completed their first post-cutbacks bargaining round by early that reporting year. The number of complaints in this area remained constant over last year, revealing some stability in the bargaining process. Of the 27 complaints concluded, ten were withdrawn, two adjourned sine die, nine settled, and eight went to hearing. The Board allowed the complaint in half of the cases that went to hearing.

The issue of what constitutes bad faith bargaining was the subject of two decisions of note this past year. See: *United Food and Commercial Workers, Local 401 and Canada Safeway Ltd.* [1997] Alta.L.R.B.R. 137 and *The Central Alberta Association of Municipal and School Employees v. The Wild Rose School Division No. 66* [1996] Alta.L.R.B.R. 221.

In *Wild Rose*, the Board confirmed that it gives only limited scrutiny to the reasonableness of a party's bargaining position. The Board will look for demonstrated illegality, breach of public policy or bad faith. For example, the Board found that the late introduction of a new classification scheme coupled with the Employer's subsequent refusal to bargain that scheme was not bargaining in good faith. Nor was the Employer's attempt to reclassify and give a salary increase to an employee in the unit on the verge of a strike by the employees bargaining within section 58.

On the other hand, in *Canada Safeway* the Board held that the Employer's action to table a last minute offer before the strike began was not bad faith bargaining. While the Board restrained the Employer from communicating that offer to the employees for seven days, it did so having found the Employer to have interfered with the Union's representation of its members. The Employer's communication to its employees was timed in such a way that it unfairly maximized its tactical advantage. The communication, although honest, also omitted important information which was to the disadvantage of the Union.

Proposal Votes

The Board processed ten proposal vote applications during the year, up from four in 1995-96. Three of the applications sought a vote on the employer's last offer. Of the ten applications, one was withdrawn, one was adjourned sine die, and nine went to a vote of employees. In the nine votes, employees rejected the employer's last proposal in four cases. There were no votes on either a mediator's recommendation or a Disputes Inquiry Board recommendation.

STRIKES, LOCKOUTS, AND PICKETING

Strike, lockout and picketing proceedings before the Board decreased from 47 complaints in 1995-96 to 15 this reporting year.

Much of the Board's workload in this area came from applications related to illegal strikes and picketing. The Board processed 14 such applications during the year, upholding only two cases where the Board regulated picketing. Three applications were settled before a decision and nine were withdrawn. Only one new illegal lockout application was filed, but it was settled with Board assistance.

The Board dealt with what can constitute an illegal strike in *International Brotherhood of Electrical Workers, Local Union 424 v. Great West Enterprises Ltd., Great West Electric Co. Ltd., David Rees and Ed Rees et al.* [1996] Alta.L.R.B.R. 515. Specifically, the Board found that the particular wording of a “salting agreement” in the construction industry was not an illegal strike or a threat of one. For more discussion on the nature of a “SALT program” see also: *IBEW v. TNL Industrial Contractors Ltd.*, [1995] Alta.L.R.B.R. 547.

Strike And Lockout Votes

Under the Code, the Board must supervise all strike and lockout votes. The Board concluded 85 applications for a supervised strike or lockout vote, an increase of 150% over the previous period. This reflects the increased bargaining activity in the province, particularly in the retail food sector with the UFCW -Canada Safeway strike. Fifty of these applications were for strike votes; 35 were for lockout polls. Two applications were withdrawn, with the remainder granted. Three strike votes were rejected by the voters. None of the strike or lockout vote applications arose in the construction industry.

PROHIBITED PRACTICES

Unfair labour practice complaints allege improper conduct by trade unions or employers. As in past years, the volume of complaints concluded increased, from 260 to 279. While complaints often allege numerous violations, they become more focused during preparations for a hearing and with the assistance of the investigating Labour Relations Officer. Complaints often result from bargaining or representation issues and, as a result, are sometimes settled by the parties through bargaining or other mechanisms prior to a Board hearing. Statistics reflecting the number of complaints filed against employers and against unions can be found in the Appendix.

Complaints Against Employers

Allegations that employers discriminated against or refused to hire employees due to their membership in a trade union continued to be the most significant source of unfair labour practice complaints against employers. Employer interference with representation by or administration of a trade union was another significant source of complaints.

The Board’s authority to summarily dismiss an unfair labour practice complaint against an employer was judicially reviewed in *UFCW, Local 280P*

v. Pride of Alberta Meat Processors Company et al [1996] Alta.L.R.B.R. 612 (Q.B.). The Court held a Board decision to dismiss an interlocutory motion because it viewed the overall application as unsupportable was within its jurisdiction and reasonable, as was the decision to summarily dismiss the application.

In *Communications, Energy & Paperworkers Union of Canada, Local Union No. 777 v. Imperial Oil et al* [1996] Alta.L.R.B.R. 491, the Board held that employer action which violated a prohibited practice section of the Code was not saved merely because the action complied with another Code section. This decision was upheld on judicial review and is currently under appeal to the Court of Appeal.

Complaints Against Unions

Unfair labour practice complaints against unions can be filed by both bargaining unit employees and employers. Generally, complaints by bargaining unit members tend to allege a failure to represent employees' interests, where complaints by employers tend to involve bargaining issues. In this reporting period, fewer complaints were filed against unions than employers, and fewer total complaints were filed than in the previous reporting period.

The Duty of Fair Representation

As usual, many of the complaints against unions concerned their duty to fairly represent their members.

The Board dealt with a union's duty to fairly represent its members in *Rita Vickers et al v HSAA and University of Alberta Hospitals* [1997] Alta.L.R.B.R. 11. The Board acknowledged the duty of fair representation did not apply to collective bargaining, but held "collective bargaining" must be construed narrowly when used to guard against duty of fair representation complaints. This case reflects the importance in reviewing union behaviour in the context in which the behaviour occurred.

THE CONSTRUCTION INDUSTRY

The past three annual reports noted a steady decline in construction industry matters before the Board. This pattern halted and began to reverse, as the improved economy resulted in increased construction activity in Alberta. Matters before the Board addressed unions' abilities to organize and to represent their members.

In *Alberta and N.W.T. (District of MacKenzie) Construction and Building Trades Council v. CLAC, Locals 63 and 65, Canadian Iron, Steel and Industrial Workers Union, Local #2 et al*, the Board addressed whether bargaining rights were limited to the traditional building trade unions under the Code's construction industry registration system. The Board found that while a historical and policy basis existed for the argument limiting bargaining rights, the Code did not contain the clear language required to deny employees representation by non-affiliated trade unions.

APPENDIX

TABLES

The Board's computerized case management system provides individual case monitoring facilities. It also can be used to generate statistics about activity before the Board. In this report the Board has, for the first time, consolidated all activity in one set of statistical reports rather than, as in the past, separating the public sector activity. This report includes the following statistical reports.

Table 1:	Case Resolution by Category
Table 2:	Certification Applications - Concluded
Table 3:	Industry Categories
Table 4:	Revocation Applications - Concluded
Table 5:	Votes - Concluded
Table 6:	Labour Relations Code Comparative Statistical Summary

TECHNICAL NOTES

The Board tracks each individual case that comes before it. We call this a "matter". A matter generally consists of an application, reference, or complaint brought by one party (or sometimes a group of parties) against another party (or group of parties) under a specific section of the Labour Relations Code, the Public Service Employee Relations Act, or the Police Officers Collective Bargaining Act.

Only certain sections of the legislation give rise to applications, references or complaints. We call these "entry sections". The reports break down the matters received by entry section. In a few cases, applications are so frequently brought under two sections at the same time that we group them together and treat them as one entry section for statistical purposes. Entry sections beginning with the letter "P" involve the Police Officers Collective Bargaining Act those beginning with the letter "e" involve the Public Service Employee Relations Act.

Often a case will involve several matters. One dispute between an employer and a trade union, may, for example, give rise to several different complaints. More general reports allow a look at areas of activity by grouping entry sections into more general "categories".

A case recorded as one matter may affect more than one person. There are "test case" situations where a decision about one person will govern others. We generally record these cases as one matter, not several.

These definitions ensure the validity of statistical comparisons from year to year.

In the case of most reports, our statistics are province-wide. However, parallel reports are available that break down the same statistics into those processed through Calgary or Edmonton.

The various case conclusion reports analyze cases by "resolution type". Some resolution types are self-explanatory. The following comments will explain those that are not.

CERTIFICATION:

Refused Numbers: means the union did not meet the initial 40 per cent requirement.

Refused Unit: means the Board found the bargaining unit inappropriate.

Refused - Multiple: means the application was dismissed in circumstances where the union applied twice, intending only to get one certificate (for example, when it was uncertain which party was the true employer).

Refused - Other: means the Board rejected the application for other reasons. For example, time bars, lack of trade union status, etc.

REVOCATION:

Refused - Numbers: means the applicant did not have the necessary initial 40 per cent support.

Refused - Other: means the Board rejected the application for other reasons.

ALL OTHER CATEGORIES:

Withdrawn: means the application was withdrawn. Parties may do this voluntarily, or as part of a settlement arrived at between themselves.

Informal: means the matter was resolved by the parties accepting a section 10 informal Board member recommendation.

Settled: means the matter was settled because of officer or other Board intervention.

Dismissed: means the Board dismissed a complaint, or ruled for the respondent in an application or reference.

Granted: means the Board upheld a complaint, or ruled for the applicant in an application or reference.

INDUSTRY CATEGORIES

Construction:	General (Commercial/Institutional/Industrial), Pipeline, Roadbuilding and Heavy Construction, Specialty
Construction-Related:	Quasi-Construction, Service, Maintenance, Repair
Education:	School Boards, Private Schools
Food Production:	Baked Goods, Cereal, Dairy Products, Feed, Fish, Flour, Fruit, Milk, Meat and Poultry, Sugar, Vegetables, Vegetable Oils
Hospital and Health Care Services:	Health Care Units, Hospitals, Medical and other Health Laboratories, Nursing Homes, Victorian Order Nurses
Manufacturing:	Appliances, Beverages - (Brewery, Distillery Soft Drinks, Winery), Chemical, Clay Products, Clothing, Concrete Products, Electrical, Electronic, Fabricated Metal, Furniture, Glass, Machinery, Metal, Paper Goods, Petroleum, Pipe, Plastics, Pulp & Paper, Rubber, Textiles, Transportation Equipment
Mining:	Metals, Non-Metal, Coal, Oil & Gas, Tarsands (overburden)
Printing:	Bindery, Book Publishing, Business Forms, Commercial Printing & Typesetting, Newspaper, Magazines, Periodicals
Public Sector:	Ambulance Authorities, Fire Departments, Improvement Districts, Library Boards, Municipalities, Police, Public Transportation, Recreation Boards

Pulp & Lumber Forest Products:	Logging, Pulp & Paper, Sawmills
Retail and Wholesale Trade:	Automotive Sales & Service, Beer Stores, Department Stores, Drug Stores, Food, Beverage and Accommodation Services, Gas & Service Stations, Grocery Stores, Liquor Stores, Movie Production, Non-Destructive Testing, Parking Lot Service, Security Guard Service, Theatres (including live and movie), Wine Stores
Transportation and Storage:	Warehousing, Distribution, Trucking, Taxies, Buses, Couriers
Utilities:	Electricity, Water, Gas, Telephones
Miscellaneous:	Agricultural/Exhibition Boards, Greenhouses, Group Homes, Labour Organizations, Legal Aid, Mushroom Farms, Non-Profit Organizations, Charity Groups
Crown in Right of Alberta:	(also referred to as the Government of Alberta and covers all 12 Subsidiary Agreements of the Master Collective Agreement)
Crown Agencies:	Alberta Agricultural Development Corporation, Alberta Alcohol & Drug Abuse Commission, Alberta Liquor Control Board, Alberta Oil Sands Technology & Research Authority, Alberta Opportunity Company, Alberta Petroleum Marketing Insurance Corporation, Municipal Affairs - Sales Ltd., Teacher's Retirement Fund Board, Workers' Compensation Board
Advanced Education:	Alberta College of Art, Athabasca University Governing Council, Banff Centre for Continuing Education, Fairview College, Grande Prairie Regional College, Grant MacEwan Community College, Keyano College, Lakeland College, Lethbridge Community College, Olds College, Medicine Hat College, Mount Royal College, Northern Alberta Institute of Technology (N.A.I.T.), Red Deer College, Southern Alberta Institute of Technology (S.A.I.T.), University of Alberta, University of Calgary, University of Lethbridge

PUBLICATIONS

The Board believes its decisions and policies must be accessible and understandable. It publishes them in the following ways:

- Information Bulletins:** Twenty-three information bulletins outline the Board's policies and procedures on topics such as filing applications, standard bargaining unit descriptions, and strikes and lockouts. Information bulletins are available to the public free of charge.

- Practitioner's Manual:** The Labour Relations Code Practitioner's Manual includes an annotated Labour Relations Code, all information bulletins and rules, the Guide to the Labour Relations Code, and other useful information. Subscriptions include regular quarterly updates and are available from the Legal Education Society of Alberta, 2610, 10104 - 103 Avenue, Edmonton, Alberta, T5J 0H2. Telephone (403) 420-1987. At the end of the reporting period, a revised and expanded annotated Labour Relations Code was in preparation under the supervision of David Corry of Bennett Jones Verchere. The revised annotated Code will incorporate early decisions of the Board as well as leading cases from other Canadian labour boards.

- Alberta Labour Relations Board Reports:** This is a subscription service published by the Legal Education Society of Alberta. Each year's service includes a case table, and the full text of all Alberta Labour Relations Board and related court decisions. It also includes case headnotes, keyword/subject indexes and updates on court challenges to Board decisions. Subscriptions are available from the Legal Education Society of Alberta, 2610, 10104 - 103 Avenue, Edmonton, Alberta, T5J 0H2. Telephone (403) 420-1987. Board decisions issued since 1952 are on file at the Labour Information Services Branch, Room 303, 10808 - 99 Avenue, Edmonton, Alberta, T5K 0G5. They are also on file at the law libraries of the Universities of Calgary and Alberta and the courthouse libraries in Calgary and Edmonton. Planned for release in the 199-98 year is a companion volume to the ALRB Reports containing headnoted versions of all decisions of the Public Service Employee Relations Board from 1977 to 1994.

- Alberta Labour Relations Board Decisions Index:** This is a subscription service published by the Legal Education Society of Alberta. Indexes provide access to all Board and related court decisions. They contain four sections: parties, section of the statute, subject, and date. Entries contain the following information: parties, Board file number, section of statute, subject, appeal status, Chair, summary, and citation. The three available indexes cover cases under the Alberta Labour Act, the Labour Relations Act, the

Public Service Employee Relations Act and the Labour Relations Code. They are available from the Legal Education Society of Alberta, 2610, 10104 - 103 Avenue, Edmonton, Alberta, T5J 0H2. Telephone (403) 420-1987.

•**QuickLaw On-Line Full-Text Decisions:** The QuickLaw on-line database service gives computer access to the full text of all Board decisions issued since 1986. QuickLaw also has on-line access to the full index of Board decisions, including case summaries.

•**The Alberta Labour Relations Board on the World Wide Web:** In February 1996 the Board became the first Canadian labour relations tribunal to post its publications and decisions on the Internet through a World Wide Web home page. The Board's home page contains member and staff profiles, rules, information bulletins, its publication *A Guide to Alberta's Labour Relations Laws*, public announcements and recent decisions. Decisions are posted upon release and removed once they are available on QuickLaw or in the ALRB Reports. All Board material on the Web is freely downloadable. Internet users can connect with the Board's Web site at <http://www.gov.ab.ca/~alrb>. Users may also e-mail the Board through their Web browser, or directly at paulineb@lab.gov.ab.ca.

•**Annual Reports:** This is the Board's seventh annual report. Limited copies of this report are available by writing or calling the Board at: #503, 10808 - 99 Avenue, Edmonton, Alberta, T5K 0G5, Phone (403) 427-8547 or toll-free at 1-800-463-ALRB (2572). Copies of the previous annual reports are available for viewing at the Alberta Labour Library at #302, 10808 - 99 Avenue, Edmonton, Alberta, T5K 0G5

TABLE 1

**CASE RESOLUTION BY CATEGORY
PERIOD 04/01/96 - 03/31/97**

<i>Description</i>	<i>Start</i>	<i>Received</i>	<i>Concluded</i>	<i>Outstanding</i>
Certification	16	247	215	37
Revocation	2	47	44	5
Determinations	54	128	65	117
Appeals	6	17	17	6
Differences	3	18	14	7
Consents	0	4	4	0
BR Modifications	127	235	234	128
Successor Unions	4	12	14	2
Bad Faith Bargaining	3	38	27	14
Conducted Votes	1	9	10	0
Illegal Strike/Pktg	1	32	14	19
Illegal Lockout	1	3	1	3
Supervised S/L Votes	1	84	85	0
Speeding Up Arbs	0	0	0	0
Employer UFLP	95	314	208	201
Trade Union UFLP	5	14	12	7
Employee/TU UFLP	42	30	51	21
Registration Cases	0	2	2	0
Miscellaneous	7	20	20	7
P.O.C.B.A.	2	0	0	2
LRA/Transition	1	0	0	1
Mediation	0	3	3	0
Arbitration	1	15	11	5
TOTAL	354	978	792	540

Total Outstanding Cases As Of 04/01/94: 274

Received: 1113

Concluded: 1015

Total Outstanding Cases As of 03/31/95: 372

**Totals include matters under the Labour Relations Code & Public Service Employee Relations Act*

TABLE 2
CERTIFICATION APPLICATIONS - CONCLUDED
PERIOD 04/01/96- 03/31/97

	<i>Withdrawn</i>	<i>Sine Die</i>	<i>Refused Numbers</i>	<i>Refused Unit</i>	<i>Refused Multiple</i>	<i>Refused Other</i>	<i>Refused Lost Vote</i>	<i>Certified</i>	<i>Total</i>
AVERAGE NUMBER OF DAYS TO CONCLUSION:									
Average Days: Overall	20	1	18	18	29	2	32	79	198
Average Days: Edmonton	14	1	17	7	26	1	19	57	141
Average Days: Calgary	6	0	1	11	3	1	13	22	57
INDUSTRY BREAKDOWN:									
Construction	2	1	6	0	15	1	10	16	50
Construction - Related	6	0	8	0	13	0	3	8	38
Education	2	0	0	0	0	0	0	2	4
Food Production	3	0	5	17	0	0	4	33	63
Hosp. and Health Care Services	2	0	0	0	0	1	5	5	13
Manufacturing	1	0	0	0	0	0	0	1	2
Mining	0	0	1	0	0	0	3	4	8
Public Sector	0	0	0	1	0	0	2	1	4
Pulp & Lumber Forest Products	3	0	0	1	1	0	4	1	10
Retail and Wholesale Sector	0	0	0	0	0	0	0	4	4
Transportation and Storage	0	0	0	4	0	0	1	1	6
Miscellaneous	0	0	1	1	0	0	2	9	13
TOTAL CERTIFICATIONS:	19	1	21	24	29	2	34	85	215

TABLE 3
REVOCATION APPLICATIONS - CONCLUDED
PERIOD 04/01/96 - 03/31/97

Section	Description	Withdrawn	Sine Die	Refused Numbers	Refused Other	Refused Lost Vote	Revoked Cert	Revoked V.R.	Total
INDUSTRY BREAKDOWN:									
Construction		0	0	0	5	0	4	2	11
Construction - Related		1	0	0	0	0	7	0	8
Education		0	0	0	0	0	3	0	3
Food Production		0	0	0	0	3	2	0	5
Hosp. and Health Care Services		0	0	1	0	0	2	0	3
Manufacturing		0	0	0	0	0	2	0	2
Printing		0	0	0	0	0	0	0	0
Public Sector		0	0	0	1	0	2	0	3
Pulp & Lumber Forest Products		0	0	0	0	0	0	0	0
Retail and Wholesale Sector		1	0	0	1	1	3	0	6
Transportation and Storage		0	0	0	0	0	0	0	0
Miscellaneous		0	0	0	0	0	2	0	2
TOTAL REVOCATIONS:		2	0	1	7	4	27	2	43

TABLE 4
VOTES - CONCLUDED
PERIOD 04/01/96- 03/31/97

Section	Description	Incomplete	Withdrawn	Sine Die	Refused	For	Against	Total
	Certifications	-	20	0	76	85	34	215
	Revocations	-	2	0	8	29	5	44
14(3a)	Vote at parties request	0	0	0	0	0	0	0
14(3b)	Vote at Minister's direction	0	0	0	0	0	0	0
64(3)	Mediator's report vote	0	0	0	0	0	0	0
67(1)	Last offer proposal vote	0	1	1	0	5	4	10
74(1a)	Strike vote	0	1	0	0	46	3	50
74(2a)	Lockout poll	0	1	0	0	34	0	35
74(2b)	Lockout vote	0	0	0	0	0	0	0
105(2)	D.I.B. vote	0	0	0	0	0	0	0
183(1)	Construction - strike votes	0	0	0	0	0	0	0
185(2)	Construction - lockout votes	0	0	0	0	0	0	0
e9(2)	Votes	0	0	0	0	0	0	0
TOTAL		0	3	1	0	85	7	95

* Totals include matters under the Labour Relations Code & Public Service Employee Relations Act

TABLE 5

**LABOUR RELATIONS CODE
COMPARATIVE STATISTICAL SUMMARY
for the years ending March 31, 1992-1996**

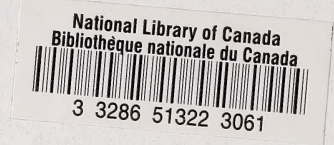
	92-93	93-94	94-95	95-96	96-97
<i>Certification</i>					
Start of reporting period	13	14	8	10	16
Received	199	197	148	190	247
Concluded	207	205	146	184	215
Outstanding at end of period	14	8	10	16	37
<i>Employee Revocation (s. 49(lee))</i>					
Start of reporting period	1	2	1	6	2
Received	21	22	32	32	29
Concluded	20	23	27	36	27
Outstanding at end of period	1	2	1	6	3
<i>Employer Revocation (s. 49(ler))</i>					
Start of reporting period	0	1	1	12	0
Received	15	18	47	45	16
Concluded	14	18	36	56	15
Outstanding at end of period	0	1	1	12	2
<i>Union Revocation (s. 49(tu))</i>					
Start of reporting period	0	0	0	0	0
Received	4	1	3	1	2
Concluded	4	1	3	1	2
Outstanding at end of period	0	0	0	0	0
<i>Determinations</i>					
Start of reporting period	34	32	51	51	54
Received	105	56	99	96	128
Concluded	107	61	104	93	65
Outstanding at end of period	32	27	46	54	117
<i>Reconsideration Appeals</i>					
Start of reporting period	4	1	3	9	6

	92-93	93-94	94-95	95-96	96-97
Received	13	14	18	19	17
Concluded	16	13	13	22	17
Outstanding at end of period	1	2	8	6	6
<i>BR Modifications</i>					
Start of reporting period	15	31	15	39	127
Received	94	60	85	321	235
Concluded	78	77	65	233	234
Outstanding at end of period	31	14	35	127	128
<i>Successor Trade Unions</i>					
Start of reporting period	0	2	3	5	4
Received	10	20	22	13	12
Concluded	8	19	19	14	14
Outstanding at end of period	2	3	6	4	2
<i>Bad Faith Bargaining</i>					
Start of reporting period	5	3	11	5	3
Received	12	31	32	25	38
Concluded	14	29	38	27	27
Outstanding at end of period	3	5	5	3	14
<i>Conducted Votes</i>					
Start of reporting period	0	0	1	0	1
Received	10	14	6	4	9
Concluded	10	13	7	3	10
Outstanding at end of period	0	1	0	1	0
<i>Illegal Strike/Picketing</i>					
Start of reporting period	0	1	1	1	1
Received	13	10	25	46	32
Concluded	14	10	25	46	14
Outstanding at end of period	1	1	1	1	19
<i>Illegal Lockouts</i>					
Start of reporting period	0	0	10	8	1
Received	1	22	3	1	3

	92-93	93-94	94-95	95-96	96-97
Concluded	1	13	5	8	1
Outstanding at end of period	0	9	8	1	3
<i>Supervised S/L Votes</i>					
Start of reporting period	2	0	0	1	1
Received	38	20	35	27	84
Concluded	40	20	34	27	85
Outstanding at end of period	0	0	1	1	0
<i>Employer UFLP</i>					
Start of reporting period	70	49	81	85	95
Received	211	248	171	210	314
Concluded	232	216	182	200	208
Outstanding at end of period	49	81	70	95	201
<i>Trade Union UFLP</i>					
Start of reporting period	2	1	0	4	5
Received	19	8	22	14	14
Concluded	18	9	19	13	12
Outstanding at end of period	3	0	3	5	7
<i>Employee/TU UFLP</i>					
Start of reporting period	15	22	17	27	42
Received	73	34	47	62	30
Concluded	66	39	37	47	51
Outstanding at end of period	22	17	27	42	21
<i>Police Officers Collective Bargaining Act</i>					
Start of reporting period	1	1	1	1	2
Received	0	0	4	2	0
Concluded	1	1	4	1	0
Outstanding at end of period	0	0	1	2	2
<i>Others</i>					
Start of reporting period			1	1	12
Received			2	2	62
Concluded			2	2	54

	92-93	93-94	94-95	95-96	96-97
Outstanding at end of period			1	1	20
Start of Reporting Period:	178	178	205	265	372
Received	876	802	801	1110	1272
Concluded	876	802	766	1013	1051
Outstanding at End of Period	178	178	223	376	562

*Notes - Certain figures vary slightly from those reported in earlier Annual Reports due to minor changes in posting criteria and error corrections. Due to recent merger of PSERB and LRB, no earlier comparative figures available for some sections. 1994/95 totals include matters under the Labour Relations Code and the Public Service Employee Relations Act.



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